

BOARD OF SUPERVISORS MEETING
MONDAY, AUGUST 20, 2018
6:00 PM

The Appomattox County Board of Supervisors held a scheduled meeting on Monday, August 20, 2018 at 6:00 p.m. in the Board of Supervisors meeting room, located at 171 Price Lane, Appomattox, Virginia.

Appomattox County Board of Supervisors

Present:

Samuel E. Carter	Courthouse District, Chairman
Watkins M. Abbitt, Jr.	Piney Mountain District
William H. Hogan	Appomattox River District
Chad E. Millner	Falling River District, Vice-Chair
Bryan A. Moody	Wreck Island District (Arrived at 6:08 pm)

Also Present:

Susan M. Adams, County Administrator
Tom Lacheney, County Attorney
John Spencer, Information Systems Manager/Purchasing Agent
Johnnie Roark, Director, Community Development
Vicky Phelps, Finance Director

Chairman Carter called the meeting to order at 6:00 p.m.
Handicap Accessibility Statement provided by Susan Adams, County Administrator
Pledge of Allegiance
Invocation- Supervisor-Chad Millner

Setting of Agenda

Added to Appearances:

Mark Thomas, Southside Electric Coop.

Removal from Agenda:

Treasurers Leave Request

Mr. Abbitt made a motion to approve the changes made to the agenda. Mr. Millner seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

WORK SESSION

Bruce Jones - Fence In/Fence Out Ordinance

Chairman Carter explained that JoAnn Jones, Farm Bureau Local Chapter President, was invited to appear before the Board to speak on behalf of Farm Bureau's opinion of a local Fence In/Fence Out Ordinance and address questions and/or concerns that the Board may have. The Farm Bureau Board is meeting tonight and not sure if their time frame will accommodate

attending the Board meeting so Bruce Jones, Appomattox County Extension Agent, and JoAnn's spouse has agreed to represent JoAnn.

Mr. Jones came forward and introduced Mr. Mark Campbell, District Field Service Director for Farm Bureau. Mr. Campbell provided the Board with a map of the Counties that are currently Fence In or Fence Out. Mr. Campbell stated that 15.2-1218 of the Code of Virginia- Prevention of Trespassing, might give the Board some provisions.

Mr. Campbell answered questions and concerns from members of the Board.

After discussion, Mr. Abbitt requested that this item be added to the agenda for further discussion.

Penny Hall, Social Services Regional Director & Meredith Burger, Social Services Regional Administrative Director

Chairman Carter stated that Penny Hall, Social Services Regional Director and Meredith Burger, Social Services Regional Administrative Director agreed to meet with the Board of Supervisors to discuss how local reimbursement could be utilized for future Social Services Office Space renovations and/or construction.

Mr. Brad Burdett, Social Services Director and Ms. Burger came forward, Ms. Burger stated her address as 381 Apricot Trail, Roanoke Virginia. She stated that she is addressing the Board as a representative from Virginia Department of Social Services, Piedmont Regional office. She explained that she is here to discuss the possible options that are available to the local Department of Social Services.

Ms. Burger explained that Medicaid Expansion would begin January 2019. She explained that with this program there would be a need for additional staffing, which will create the issue of needing more space for additional staff that will be hired due to increase of the caseload. Ms. Burger explained that at this time, the Social Service offices are doubled up in very small offices. She stated that after a tour of the office space, they do not have the space that will be needed.

Ms. Burger explained that Virginia Department of Social Services (VDSS) could help with facility cost. She explained that VDSS does not have the ability to pay any cost up front, but they do provide reimbursement, based on several variables.

Ms. Burger stated that any upgrades or changes to the current building, additional space in the building bring the possibility of reimbursement on renovations or additions. This can be reimbursed in two ways, either by LASER (the VDSS Financial System) or via the Central Services Cost Allocation Plan. She explained that this would require a Memorandum of Understanding between the Local DSS and Appomattox County.

Ms. Burger explained that if the Board made the decision to move to a different location, if the County acquires the building, it will bring a new schedule of depreciation. This can also be done in two ways, either by LASER or via the Central Services Cost Allocation Plan. She stated that this would require a new Memorandum of Understanding between local DSS and

Appomattox County. She explained that if the agency moved to a privately owned building, the lease is reimbursable at 84.5%. She stated that a privately owned building is a straight lease.

Ms. Burger and Mr. Burdette then answered questions and concerns from members of the Board.

Fence-in/Fence-out Ordinance

Chairman Carter opened the floor for discussion on Fence-in/Fence-out ordinance.

After discussion, Mr. Abbitt suggested that Mr. Lacheney, County Attorney draft a Fence In ordinance and bring back to the Board for review.

Mr. Lacheney stated that he would bring the draft ordinance to a work session with the intent to discuss but not make a decision.

CITIZEN PUBLIC COMMENT PERIOD

Chairman Carter called on Mr. Mark Thomas with Southside Electric Coop. to come forward and address the Board.

Mr. Thomas came forward and thanked the Board for allowing him time to come and speak with them. He stated that he wanted to extend an invitation to the Board and Staff to a Skeet, and Trap Shoot, to be held October 6, at Holiday Lake 4-H Center. He explained that all monies received from this shoot would go towards scholarships. Mr. Thomas thanked the Board and stated that he looked forward to seeing them at the shoot.

Chairman Carter called on Ms. Angulo to come forward and address the Board.

Ms. Angulo came forward and provided her address as Concord. She stated that this week she had spent a lot time reviewing the County and School debt. She stated that the County and School have 24 million dollars in debt. She stated that we are paying a lot of interest on this and why are we not budgeting for these items in advance. Ms. Angulo highly recommended a Replacement Plan and stated that this could be phased in. She stated that the School Board is looking at major renovations and she recommends that the Board ask the School Board to bring out plans and allow the public to participate.

Chairman Carter called on Mr. Brian Page to come forward and address the Board.

Mr. Page came forward and stated his address as Concord, Virginia. Mr. Page stated that he was speaking on behalf of all State Champions of all high school sports. He stated that sports are his passion and he feels that a recognition is past due for these accomplishments. He stated that he was aware that criteria would need to be met for Virginia Department of Transportation. He used Altavista signs as an example. He explained that in discussion, he was told that their signs costed approximately \$2500 each. He stated that he understands that the Board has already approved signs and he was not sure if they had been put on back burner, but he feels that these teams deserve these signs along with players and parents. He stated that he wanted to refresh the minds of the Board on the signs.

APPEARANCES

Mr. Robert Brown, Assistant Residency Administrator, VDOT Appomattox - Rural Rustic Resolution

Chairman Carter stated that Mr. Don Austin, Residency Administrator is here tonight instead of Mr. Robert Brown, to discuss the provided Rural Rustic Resolution. The Resolution designates certain roads as rural rustic, which the Board of Supervisors adopts for an unpaved road to be hard-surfaced using rural rustic standards.

RESOLUTION

WHEREAS, Section 33.2--332 of the *Code of Virginia*, permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Appomattox County, Virginia desires to consider whether the following Routes/Roads:

Route 605, Dreaming Creek Road, From: Route 721 To: Route 624

Route 644, Cub Creek Lane, From: Route 636 To: Route 675, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

After discussion, Mr. Millner made a motion to adopt the Rural Rustic Road Resolution, which includes Route 605, Dreaming Creek Road, and Route 644, Cub Creek Road and which are

included in the Appomattox County Secondary Six-Year Plan. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Hogan addressed the Route 600 bridge replacement and voiced a concern regarding how close the guardrail is to the roadway. Mr. Austin stated that he would check into this concern.

Dana Mayberry, Appomattox Tourism Committee

Chairman Carter called on Dana Mayberry who has requested to appear before the Board to provide an update from the Appomattox Tourism Committee's marketing successes over the past year and to request the Board's consideration for marketing initiatives support for the "Experience Appomattox" events in April.

Staff recommends the Board's consideration to provide a monetary donation to the ATC to support their media, advertising and printed materials Appomattox events marketing campaign.

Ms. Mayberry came forward and provided a PowerPoint presentation for the Board.

She explained that the Appomattox Tourism Committee (ATC) is a collective of local businesses and organizations with stake in growth of tourism in Appomattox.

She stated that the ATC provides tourism solutions of a growing local market in order to attract additional travelers, increase visitor spending, and enhance the Appomattox experience for guest. Ms. Mayberry stated that this year was a success. She explained that they have their websites and social media up and running, shot a commercial and created unique guest packages and itineraries. She reported that the Appomattox Tourism Committee has increased from 10 partners in 2017 to 24 members and continue to grow.

Ms. Mayberry stated that the Experience Appomattox website has seen a 62.8% increase in 2018 and guest are finding Appomattox by direct searches and social media.

Ms. Mayberry called for questions and comments from the Board.

Ms. Mayberry explained that she is asking for a donation from the Board to help with marketing. She stated that she made this same presentation to the Town of Appomattox and asked for an \$8000 dollar donation and she is making the same request to the County.

Mr. Hogan stated that tourism is our industry of the future and the Board needs to invest.

Mr. Abbitt stated that out of the approximately 140 localities 130 would love to have what we have. He stated that this is an opportunity to expose Appomattox and we need this to create jobs.

Mr. Moody stated that if the Board so chooses to approve to allocate money, they should be very cautious as approving money for private businesses to be the one that is on the commercial. He stated that he is okay with this as long as it is about Experiencing Appomattox as a whole and does not say come to individual businesses. He stated that he is cautious without seeing the commercial.

Ms. Mayberry clarified that what Mr. Moody was saying is that he wanted to assure that funds are given would towards exposing Experiencing Appomattox not towards a certain business.

Mr. Millner stated that the Board needed to support tourism by giving available funds. He then questioned if there were any tourism funds allocated in the Tourism budget that could be used for this request.

Ms. Adams stated that there is \$5000 available in the Tourism budget that could be used for this request.

After discussion, Mr. Abbitt made a motion to donate \$5000 to the Appomattox Tourism Committee for marketing campaign, and to consider providing an additional \$3000 in the future (Spring). Mr. Hogan seconded Mr. Abbitt's motion. Chairman Carter called for discussion. After discussion, Chairman Carter called for a Roll Call Vote: Mr. Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Bobby Wingfield, Public Safety Director

Chairman Carter stated that Bobby Wingfield requested to appear before the Board to provide an update on the Zuercher Software and request a Change Order.

Mr. Wingfield came forward, provided the Board with an explanation of funds requested for a change order, which would involve a needed GIS server. He asked the Board for their consideration of approval for this request.

After discussion, Mr. Moody made a motion to approve the request of \$11,055 to pay towards the change order out of the Wireless Fund as specified by Mr. Wingfield. Mr. Hogan seconded Mr. Moody's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Moody made a motion to supplement \$11,055 to pay for the cost of the change order as requested. Mr. Hogan seconded Mr. Moody's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Wingfield requested authorization from the Board to apply for a Emergency Medical Dispatch (EMD) grant. He explained that this grant would require either an 80/20 or 50/50 match from the County. He stated that he would not know which match would be required until after he applies and receives an award.

After discussion, it was the consensus of the Board to allow Mr. Wingfield to proceed with the grant application.

PUBLIC HEARING (7:00 PM)

Chairman Carter called the Public Hearing to order at 7:27 p.m.

Public Hearing-CUP160199-Dustin Williams

Chairman Carter presented petition **CUP160199-Eugene & Wanda Williams (owner); Dustin Williams (applicant)** who have requested a review of their conditional use permit, which

allowed the petitioner to operate an outdoor theatre (commercial outdoor entertainment) on property located at 618 Country Club Road, Appomattox, Virginia. The parcel is 1.61 acres in size and is identified as Tax Map Identification Number 75 (4) 10A. The property is conditionally zoned B-2, Limited Commercial Zoning District. The review is required as a condition of the original permit granted in 2016.

Chairman Carter called for public comment.

Mr. Dustin Williams came forward and stated that the only thing that he was hoping to talk with the Board about and possibly being changed was the five-year time limit on the approval of his Conditional Use Permit. He explained that in working to secure grants Wolfbane needed to be able to provide a long-term plan and it is difficult to plan not knowing if your CUP application will be approved in five years. He stated that he understood at the first request the two-year time limit, so that it could be time to see how things went and to his knowledge, there have been no complaints.

Chairman Carter called for any questions or comments from the Board.

Mr. Moody questioned Mr. Williams on exactly what he was requesting.

Mr. Williams stated that he was requesting that instead of putting a time limit on the CUP approval to say that if Wolfbane should not be at stated property, the CUP permit would be void.

He stated that Mr. Roark has explained that whoever would come behind Wolfbane, would have to follow the same rules that we have to follow.

Mr. Roark explained that condition #13 is for a time five years and instead of having that five-year time limit, change that over to an ownership condition.

Mr. Williams and Mr. Roark answered questions and concerns from members of the Board.

Chairman Carter called for any other public comment.

Ms. Linda Lipscomb came forward and stated her address as 147 Maple Street, Appomattox. She stated that for the past two years, she has been a Board member of Wolfbane Productions.

She stated that many people come from all around and even in busloads to see Wolfbane productions. In addition, to bringing a magnificent theatre to Appomattox, she stated that Wolfbane is a business and they do have to operate as such. She stated that long range planning is the key to success and having a permanent location is a piece of that which they now have.

She stated that Wolfbane has complied with every permit and have done everything that they have been asked to do. She stated that being able to make long-range plans would help Wolfbane to plan their productions more than one or two years in advance.

Ms. Lipscomb stated that she is in favor of the Board approving this request. Ms. Lipscomb thanked the Board for their consideration and support.

Hearing no further comment, Chairman Carter closed the public hearing at 7:38 p.m.

ACTION ITEMS

Consideration of CUP160199-Williams

Chairman Carter explained that The Planning Commission recommended renewal of the conditional use permit for Mr. Williams with conditions. Accordingly, a resolution has been prepared for the Board to consider the Planning Commission's recommendation.

A RESOLUTION GRANTING A RENEWAL OF CONDITIONAL USE PERMIT (CUP160199) IN THE FALLING RIVER DISTRICT FOR EUGENE & WANDA WILLIAMS (OWNER), DUSTIN WILLIAMS (APPLICANT) TO OPERATE AN OUTDOOR THEATRE (COMMERCIAL OUTDOOR ENTERTAINMENT) OFF OF COUNTRY CLUB ROAD IN APPOMATTOX, VIRGINIA

WHEREAS, Eugene & Wanda Williams (owner), Dustin Williams (applicant) have applied for a conditional use permit to operate an outdoor theatre at 618 Country Club Road. The property zoning is Conditional B-2, Limited Commercial Zoning District. The property is further identified as a portion of Tax Map Identification Number 75 (4) 10A and is located on the north side of Country Club Road near the intersection of Purdum Mill Road in the Appomattox community; and

WHEREAS, the land use “Commercial Outdoor Entertainment” is a conditional use within the B-2, Limited Commercial Zoning District; and

WHEREAS, Commercial Outdoor Entertainment is defined by the Appomattox County Zoning Ordinance as “predominantly spectator uses conducted in open or partially enclosed or screened facilities”; and

WHEREAS, the applicant was originally granted a conditional use permit for this activity on June 20, 2016 and now seeks to renew this permit; and

WHEREAS, the Planning Commission held a duly advertised and noticed public hearing on August 8, 2018 and the Planning Commission received comments from the general public; and

WHEREAS, the Planning Commission, weighed these comments and found for reason of public necessity, convenience, general welfare, and good zoning practice, to recommend renewal of the Conditional Use Permit petition with conditions; and

WHEREAS, the conditions are listed as follows:

1. **Hours of Operation:** All outdoor live performance events shall only take place between the hours of 11:00 a.m. and 11:30 p.m. There is no time limitation on events/activities, associated with the performing arts center, taking place inside of an enclosed building or not associated with live performance events.

2. **Setback:** The stage(s) and sound amplification equipment shall not be oriented toward any residence located within one hundred (100) feet of a property line. Furthermore, to the extent possible, sound amplification equipment shall be oriented so that sound is directed away from the closest residential property. For purposes of this permit, "sound amplification equipment" means bullhorns, small portable sound systems, microphones, and amplified musical instruments or any similar device.
3. **Noise:** A maximum noise level of eighty (80) decibels shall be permitted as measured at the property line of the nearest residential property. Measurement shall be made with a Type 1 or Type 2 calibrated sound-level meter utilizing the A-weighting scale and the slow meter response as specified by the American Standards Association.
4. **Parking:** Adequate off-street parking shall be provided for events and shall include accommodations for patrons having physical disabilities. Minimum spaces provided shall be fifty (50) plus one (1) space per employee or event staff. Ingress and egress shall be addressed through the Virginia Department of Transportation (VDOT). At least one (1) entrance shall be constructed to current VDOT minimum standards for commercial entrances.
5. **Traffic:** Single events anticipated to attract greater than 400 patrons shall be coordinated with the Director of Public Safety, VDOT and the Sheriff's Department. A traffic control plan may be required upon request by the Director of Public Safety, Sheriff or VDOT.
6. **Lighting:** All light and glare shall be directed on-site to ensure surrounding properties are not adversely impacted by an increase in direct or indirect ambient lighting levels. Ambient lighting shall not exceed 0.5- foot-candle power at any property line.
7. **Food Vendors:** All food vendors operating in conjunction with any live performance event must comply with all Virginia Department of Health regulations. If electrical power is needed, the Appomattox County Building Official shall be notified, proper permitting obtained and inspections shall be completed prior to the event.
8. **Tents:** The erection and use of any tent or canopy in excess of 900 square feet shall require a building permit and inspection by the Appomattox County Building Official. All tents or canopy shall be secured at each corner by using a minimum 70-pound weight, 10-gallon water ballast or other suitable tie-down.
9. **Solid Waste:** Sufficient solid waste containers should be provided depending on the size of the event. Solid waste containers should not be visible from the public right of way or from any adjoining residential property.
10. **Restrooms:** Adequate restroom facilities should be provided either permanently or on a temporary basis. All portable restroom facilities should be removed within three (3) business days following the end of a live performance event or a performance series. Temporary restroom facilities should not be visible from the public right of way or from any adjoining residential property.
11. **Public Safety:** Prior to any single live performance event anticipated to have 400 or greater patrons, the owner/applicant shall confer with the local fire department and rescue squad to ensure that adequate safety measures are in place to effectively manage emergency situations. If emergency services support is determined to be necessary, the entirety of the cost of said support services shall be assumed by the owner/applicant.
12. **Complaints:** Should the applicant receive complaints of violations of the conditions during a live performance event the complainant shall be directed to the Sheriff's Department. The Sheriff's Department will then follow normal and customary procedures to resolve the matter. All complaints concerning lighting, noise or traffic shall be addressed immediately by the applicant, with a written statement detailing such complaint and corrective action being supplied to the zoning administrator within fifteen (15) days of the event. Complaints of violations outside of a

live performance event shall be submitted to the zoning administrator. The zoning administrator shall contact the applicant within seven (7) days. The applicant shall provide the zoning administrator with a written statement detailing the complaint and corrective action within fifteen (15) days of notification.

13. **Ownership:** The property (1.61 acres) will be owned by Eugene & Wanda Williams or Dustin Williams. The approval of the conditional use permit is contingent upon the continued ownership of the property by any combination of the three petitioners. At such time as either one of the three do not retain majority ownership in the property, the conditional use permit shall become null and void.; and

WHEREAS, the petition has been duly advertised and noticed for Public Hearing before the Board of Supervisors on August 20, 2018, with said Public Hearing being held and comments received; and

WHEREAS, the Board of Supervisors finds that the proposed use is consistent with the comprehensive plan, the zoning ordinance, and good zoning practice and would generally promote the health, safety, and general welfare of the public;

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors hereby renews Conditional Use Permit CUP160199- Eugene & Wanda Williams (owner), Dustin Williams (applicant) to operate an outdoor theatre (commercial outdoor entertainment) in concurrence with the recommendation of the Planning Commission.

After discussion, Mr. Millner made a motion to approve CUP16019 with the stipulation of removing the five-year time limit. He then amended his motion by adding Gene, Wanda and Dustin Williams as owners. Mr. Hogan seconded Mr. Millner's amended motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Resolution Celebrating the Life of Andrew Dalton Elder, Sr.

Chairman Carter presented the Resolution celebrating the life of Andrew Dalton Elder, Sr. for discussion.

Mr. Andrew Dalton Elder, Sr. faithfully served the citizens of Appomattox, Charlotte, and Prince Edward Counties as a Volunteer Firefighter with the Pamplin Volunteer Fire Department for 50 years. Thirty of the 50 years, Dalton served as the Chief to the Pamplin Volunteer Fire Department. The Board extends heartfelt sympathies to the family of Mr. Elder and wishes to recognize Dalton's many contributions to the Appomattox and surrounding communities through presentation of a token of appreciation to the family. Because of Mr. Elder's extension of kindness among several counties, the Board is collaborating with Prince Edward and Charlotte Counties through adoption of this Resolution and will present to the family once all of the Resolutions have been adopted by each locality.

Mr. Hogan stated that he had asked that this resolution be brought to the Board for approval. He stated that he had spoken with Prince Edward and Charlotte Counties regarding having all three counties adopt the same resolution with presentation to the family.

Mr. Hogan read the following resolution:

Celebrating the life of Andrew Dalton Elder, Sr.

WHEREAS, Andrew Dalton Elder, Sr., a dedicated and faithful community servant, died on July 21, 2018; and

WHEREAS, in 1948 he was born in the Madisonville community of Charlotte County to the late John Thomas and Helen Mann Elder; and

WHEREAS, he lived in Prince Edward County for most of his adult life; and

WHEREAS, he leaves behind to cherish his memory, a wife of 49 years, Clara Hurt Elder, a son Andrew Dalton Elder, Jr., a daughter-in-law, Christy Martin Elder, and two grandsons; Andrew Logan Elder and Landon Dalton Elder; and

WHEREAS, he faithfully served the citizens of Appomattox, Charlotte, and Prince Edward Counties as a volunteer firefighter with the Pamplin Volunteer Fire Department for 50 years; and

WHEREAS, he served as Chief of the Pamplin Volunteer Fire Department for approximately 30 years; and

WHEREAS, he was passionate about the safety of his firefighters and consistently promoted the push for proper equipment and training; and

WHEREAS, he was a tireless fundraiser for the Pamplin Volunteer Fire Department and the Prince Edward Area Firefighter's Association; and

WHEREAS, he was a steadfast supporter of the effort to bring emergency medical services to the Pamplin community, and helped institute, initially a First Responder unit, and ultimately, transport ambulance service to the area through the renamed agency: Pamplin Volunteer Fire Department & EMS, Inc.; and

WHEREAS, he served on the Local Emergency Planning Committee for Appomattox County; and

WHEREAS, he responded to help neighbors and community in all manner of personal "emergencies", whether it was a malfunctioning furnace, a plumbing issue, or a broken sewing machine; and

WHEREAS, he lived his life just as he answered his phone, "Dalton...Can I help you?" now be it hereby

RESOLVED, that the Appomattox County Board of Supervisors, the Charlotte County Board of Supervisors, and the Prince Edward County Board of Supervisors all note with great sadness the loss of Dalton Elder, a true community servant; and be it

RESOLVED FURTHER, that copies of this resolution be prepared for presentation to both the family of Dalton Elder, and to Pamplin Volunteer Fire Department & EMS, as an expression of the Board's respect for his memory.

Mr. Hogan made a motion to adopt the Resolution celebrating the life of Andrew Dalton Elder, Sr. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Budget Request from Sabrina Smith, Registrar

Chairman Carter presented a request from Sabrina Smith, Registrar who is requesting additional funding to be appropriated to the Department's budget. Per Ms. Smith, she failed to add the following line items to her FY 2019 Budget Request:

1302-5801	Dues/Assoc. Membership	\$140.00
1302-7001	Equipment	\$850.00

Staff recommends consideration of approval of Ms. Smith's request to appropriate \$990 of additional local funds to the 1302 Departmental budget. These funds were included in the FY 2018 budget and are available to transfer from the Operating Reserve 1101-5804 in the FY2019 budget.

Mr. Abbitt made a motion to approve Ms. Smith's request to appropriate \$990 of additional local funds to the 1302 Departmental budget. Mr. Moody seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

MOU - Commonwealth's Attorney and the Clerk of the Circuit Clerk

At the July meeting, the Board extended an additional tiered benefit option to the Constitutional Officers for consideration if they opted to sign onto the County's Employee Benefits Plan. As elected officials under the Virginia Constitution, the Constitutional Officers' employees are entitled to the benefits listed in the Code of Virginia as opposed to the benefits offered to County employees. If the Constitutional Officer wishes to enter into an agreement with the County, their employees will be guaranteed the same benefits and pay adjustments that are granted to County employees. The Commonwealth's Attorney, Mr. Puckett, and the Clerk of the Circuit Court, Ms. Hix, are requesting the Board's consideration of a "revised" Memorandum of Understanding that would be conducive to the operations of their offices.

Staff recommends the Board review for consideration the attached letter from Ms. Hix and "revised" Agreement between the Clerk of the Circuit Court and the Commonwealth's Attorney of Appomattox County and the Board of Supervisors of Appomattox County, Virginia. The revision includes but not exclusive to a request to allow their employees to maintain their accumulation of leave, continue current Hours of Operation (8:30 - 4:30), accept the County's leave accrual policy, the County's leave payout policy, continue to be granted additional leave

time from the Resident Judge and the Judicial Council of Virginia, and all employees will be granted County pay increases.

After discussion, Mr. Abbitt made a motion to adopt the revised MOU as presented.

The motion died from a lack of a second.

No action was taken on request.

School Requests

Dr. Annette Bennett, Superintendent, submitted an appropriations request for the following:

"Designated" School Capital Improvement Fund - \$17,102.00 to refinish the Appomattox High School Gymnasium floor, which was approved by the School Board in June 2018. (All labor and materials to sand, clean, and seal the gym floor. Additionally, painting of new lines and logos, on the main basketball, main volleyball, 2 cross basketball and 2 cross volleyball courts, a 30" border around the full court, a new "A" logo inside center circle, and the word "RAIDERS" painted in two quarter panels on the floor using blue/gray colors.

"Designated" School Textbook Fund - \$305,717.95 to purchase Math, Social Studies books. (Packet to follow)

"Designated" School Capital Improvement Fund - \$95,504.00 for the purchase of a Chiller for Appomattox Middle School.

After lengthy discussion, Mr. Hogan made a motion to approve an appropriation of \$305,717.95 to the School Text Book Fund. Mr. Moody seconded Mr. Hogan's motion. After discussion, Chairman Carter called for a Roll Call Vote: Chairman Carter, nay; Mr. Abbitt, nay; Mr. Hogan, aye; Mr. Millner aye; Mr. Moody, aye.

Mr. Abbitt stated that money should be used from State Funds first and the Board should only appropriate half of the requested funds. He then made a substitute motion to appropriate only \$152,717.95. Mr. Carter seconded Mr. Abbitt's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, nay; Mr. Millner, nay; Mr. Moody, nay.

The motion failed.

Mr. Hogan made a motion to approve payment of \$17, 102.00 to be used to pay for floor maintenance due to having to repaint the new emblem.

Mr. Hogan's motion died due to lack of a second.

After discussion on the request for \$95,504.00 for the purchase of a chiller for the Appomattox Middle School, Mr. Abbitt made a motion to defer this decision until the next meeting. Mr.

Moody seconded Mr. Abbitt's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, nay; Mr. Millner, aye; Mr. Moody, aye.

The Board took a five-minute recess.

CONSENT AGENDA

Invoices Submitted for Payment

Please review the attached invoices and approve for payment:

July 30, 2018 - FY 18	\$79,680.84
July 31, 2018 - CSA FY 18	\$106,367.03
August 7, 2018 - FY 19	\$33,488.89
August 17, 2018 - CSA- FY 19	\$105,572.67
August 20, 2018 - FY 19	\$361,290.19
TOTAL:	\$686,399.62

Staff Recommendation: Approval of the attached invoices for payment.

Minutes

Please review the following DRAFT minutes for additions, corrections or questions:

Scheduled Meeting - July 9, 2018

Sheriff's Department - D.A.R.E.

Please supplement by consent and appropriate the following:

3106-5401 DARE	\$1,720.00
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RE: Donations received for D.A.R.E program.

Staff Recommendation: No new local funds are required.

Sheriff's Department - Road Side Clean Up

Please supplement by consent and appropriate the following:

4209-5804 Recycle Funds	\$78.65
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RE: Sale of aluminum cans for scrap metal that were picked up by the Inmate Road Work Program.

Staff Recommendation: No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002	Overtime	\$1,655.90
3102-3005	Maintenance Service Contract	\$2,000.00
3102-5408	Vehicle Power Equip. Supplies	\$703.90
3102-5804	TRIAD (Donations Only)	\$50.00
	TOTAL:	\$4,409.80

RE: Reimbursement received for security performed by one deputy at ACHS prom, graduation and spring sports (\$1,197.19); security performed at the Express Lane (\$273.84); security performed at AMS 8th grade dance (79.87); security performed at Bushbeathers Hunting Club during car show (\$105.00); Reimbursement received from DaProSystems, Inc. for upgrades not completed and received for the Public Safety Software System (\$2,000.00); Reimbursement from VACORP for repair costs on a 2016 Dodge Charger (\$703.90); Donations received from the United Methodist Women of Mount Comfort Church for TRIAD (\$50.00)

Staff Recommendation: No new local funds are required.

J. Robert Jamerson Memorial Library

Please supplement by consent and appropriate the following:

7301-5411	Books	\$295.24
7301-5401	Office Supplies	\$1,169.65
7301-5415	Summer Reading	\$45.45
	TOTAL:	\$1,510.34

Staff Recommendation: No new local funds are required.

Comprehensive Services (CSA)

Please supplement by consent and appropriate the following:

5310-3001	Professional Services	\$473.00
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RE: Reimbursement from the Department of Social Services for foster care services.

Staff Recommendation: No new local funds are required.

General Properties - Maintenance Department

Please supplement by consent and appropriate the following:

4302-3004	Repairs/Maintenance	\$144.86
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RE: Reimbursement from Courtland Park Foundation for bench plaque.

Staff Recommendation: No new local funds are required.

Commissioner of Revenue Refund Requests

Mrs. Sara Henderson, Commissioner of the Revenue, is requesting the following to be paid from line item 1209-5803:

- 1) Refund Brenda Collier \$57.58 - For 2017 (\$40.47) and first half 2018 (\$17.11) personal property taxes paid on a vehicle that was sold October 5, 2016.
- 2) Refund Carson Farms, Inc. \$360.75 - For 2015 Real Estate taxes (\$120.25), 2016 Real Estate taxes (\$120.25), and 2017 Real Estate taxes (\$120.25). After research, all land was taken in by past plats prior to tax year 2015.
- 3) Refund Ronald L. Varner \$46.96 - For first half 2018 Personal Property taxes. Vehicle was sold in 2017.
- 4) Refund Broadspire Services, Inc. \$14.30 - For first half 2018 Personal Property taxes. No assets in county as of 1/1/18.

Staff Recommendation: Refund Brenda Collier \$57.58, Carson Farms, Inc. \$360.75, Ronald Varner \$46.96 and Broadspire Services, Inc. \$14.30 for taxes paid to Appomattox County.

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002	VRS	\$10,033.83
5301-2006	Group Life	\$747.75
5301-2002	ICMA-RC	\$566.02
TOTAL:		\$11,347.60

RE: Reimbursement for July 2018 payroll deductions.

Staff Recommendation: No new local funds are required.

Witness Advocate Grant

Please supplement by consent and appropriate the following:

2220-1001	Salaries & Wages	\$1,350.00
2220-2001	FICA	\$354.00
2220-2002	VRS	\$183.00
2220-2005	Insurance Stipend	\$3,288.00
2220-2006	Life Insurance	\$17.00
2220-2009	Unemployment	\$9.00

2220-2014	Disability Insurance	\$7.00
2220-5201	Postage	\$49.00
2220-5203	Telephone Stipend	\$756.00
2220-5416	Program Supplies	\$1,191.00
2220-5501	Mileage/Meals	\$1,765.00
2220-5504	Training/Education	\$1,270.00
2220-5801	Dues/Membership	\$150.00
	TOTAL:	\$10,389.00

RE: Additional funds received from the Victim/Witness Grant award.

Staff Recommendation: No new local funds are required.

Social Services - Medicaid Expansion FY19 Budget Amendment

Please supplement by consent and appropriate the following:

5301-1001 Salaries & Wages **\$63,009.00**

RE: FY19 funding approved by the General Assembly for Medicaid Expansion. The local allocations were determined using three equal factors:

- Distribution of current funding versus current workload for benefit programs specialists.
- Projected increase in workload due to Medicaid expansion (minimum allocation of \$45,000)
- Historical staff and operations (budget lines 855 and 858) spending.

Staff Recommendation: No new local funds are required in FY 2019 and FY 2020 budgets.

Animal Control Carry Over Funds

Please supplement by consent and appropriate the following Carry Over Funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

3501-5804 Donations **\$2,349.00**

Staff Recommendation: No new local funds are required.

Sheriff's Department TRIAD Carry Over Funds

Please supplement by consent and appropriate the following Carry Over funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

3102-5804 TRIAD **\$625.15**

Staff Recommendation: No new local funds are required.

D.A.R.E. Carry Over Funds

Please supplement by consent and appropriate the following Carry Over funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

3105-5401	Office Supplies	\$743.67
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Staff Recommendation: No new local funds are required.

E-911 Carry Over Funds

Please supplement by consent and appropriate the following Carry Over funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

3606-7011	PSAP Grant	\$76,181.82
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Staff Recommendation: No new local funds are required.

Community Development Block Grant Carry Over Funds

Please supplement by consent and appropriate the following Carry Over funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

8101-3002	Professional Services	\$57,800.00
8101-3009	Local Government Council	\$31,041.50
8101-3010	Construction Services	\$563,292.18
8101-5899	Non/CDBG Leverage	\$12,880.00
	TOTAL:	\$665,013.68

Staff Recommendation: No new local funds are required.

Capital Projects Carry Over Funds

Please supplement by consent and appropriate the following Carry Over funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

9104-7014	County Capital Projects	\$161,887.50
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Staff Recommendation: No new local funds are required.

Tourism Carry Over Funds

Please supplement by consent and appropriate the following Carry Over Funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

7104-3007	Advertising	\$985.00
7104-6009	Marketing	\$857.00
	TOTAL:	\$1,842.00

RE: Funds for county seal and letters for the LOVE sign.

Staff Recommendation: No new local funds are required.

Please supplement by consent and appropriate the following Carry Over Funds from the FY-18 Operating Budget to the FY-19 Operating Budget

Sports Complex Carry Over Funds

Please supplement by consent and appropriate the following Carry Over funds from the FY-18 Operating Budget to the FY-19 Operating Budget:

7101-7001	Equipment/Youth Association	\$4,668.00
RE: Funds for parking lot lights.		

Staff Recommendation: No new local funds are required

Mr. Hogan made a motion to approve the Consent Agenda as presented. Mr. Moody seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ATTORNEY'S REPORT

PPEA Guidelines

The County Attorney presented a copy of the Guidelines for the Implementation of the Public-Private Education Facilities and Infrastructure Act of 2002 for consideration specific to County projects. Mr. Lacheney is prepared to address questions/concerns that the Board may have prior to consideration of adoption of the PPEA Guidelines.

Staff recommends the Board consider adoption of the PPEA Guidelines that the County Attorney provided for the Board's review.

Mr. Lacheney recommend that the Board put this item back on the Agenda for consideration. He stated that this ordinance allows the Board to receive PPEA Proposals. He stated that this ordinance gives the Board some extra possibilities. He stated that there is no reason to not have a PPEA Ordinance and he recommended the Board to advertise and to place on the agenda for consideration.

Mr. Abbitt made a motion to advertise a public hearing on adopting a PPEA Ordinance. Mr. Moody seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ADMINISTRATOR'S REPORT

Ms. Adams stated that she had sent the Board a copy of her report over the weekend and called for any questions or comments.

Ms. Adams reminded the Board if they planned to attend the VACo Conference to please let Ms. Phelps or her know, so that reservations can be made.

Ms. Adams explained that she and Dr. Bennett will begin to meet monthly and then quarterly both Boards will meet.

Mr. Abbitt asked the County Administrator to get a copy of the procurement act with school for the Board to review.

REPORTS AND INFORMATIONAL ITEMS

Appomattox County Public Schools

For the Board's review is a copy of the July 2018 Month-end Financial Report from Annette Bennett and Bruce McMillan. According to the attached letter, there are two reports included:

1-Expenditures/Revenues for FY 2019 (pages 1 & 3). Please note that negative balances are reflected in the "Available balance" column because the FY 2019 School Budget has not been appropriated in the financial software system (\$0 balances shown in the "Appropriations" column).

2-Expenditures/Revenues for FY 2018 (Post Year)

Robert E. Lee Soil & Water Conservation District Board of Directors Meeting Minutes

For the Board's review is a copy of the June 28, 2018 monthly Board of Directors meeting minutes.

Office of Children's Services (CSA) - Program Audit Self-Assessment Validation

For the Board's review is a copy of a letter from the Office of Children's Services concerning the FY 2018 audit performed on June 22, 2018. Based on the audit review and examination of the self-assessment workbook and supporting documentation by the Appomattox County CSA program, validation concurs and no observations of non-compliance and/or internal control weakness were identified in the design or operation processes or services conducted on behalf of Appomattox County CSA. Ashley Sandman, CSA Coordinator was also acknowledged for the excellent assistance and cooperation during the audit. Her efforts enabled the audit staff to resolve any questions/concerns during the validation process.

Region 2000 Local Government Council - Name Change

For the Board's review is a letter from the Region 2000 Local Government Council seeking your approval to change their charter, drop the Region 2000 brand, and return to their original organization name, the Central Virginia Planning District Commission. A black-lined version and a clean version of the Local Government Council charter is also attached showing the proposed name changes. In both documents, the intent is to only change the names of these organizations to make it clearer and more consistent with the mission and purpose of the organizations.

Gary Christie will attend either the September or October Board meeting to address any questions that the Board has with the change and request the Board' approval to change the name.

After discussion, it was the consensus of the Board to agree with the name change to Central Virginia Planning District.

SUPERVISOR CONCERNS

Chairman Carter stated that he had received a call from a citizen on Purdum Mill Road about the children population growing in that area and requested a "Children at Play" sign. He stated that the point of contact would be Pam Mays.

Ms. Adams stated that there is an application process through VDOT and she would contact them regarding this issue.

CLOSED SESSION

Mr. Lacheney read the following certification for a closed meeting:

WHEREAS, the Board of Supervisors of Appomattox County desires to discuss in Closed Meeting the following matter(s):

- Discussion and consideration of the performance and salaries and benefits of certain specific employees of the county, disciplining, or resignation of specific public officers, appointees, or employees of any public body.
- Discussion or consideration of the acquisition of real property for a public purpose with respect to utilities,, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. -
- Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.
- Discussion or consideration of the investment of public funds where bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected with respect to the office of the Treasurer.
- Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning the rights of the county to end a specific contract. - §2.2-3711(A)(8)
- Discussion of the award of a public contract involving the expenditure of public funds, concerning a consulting agreement, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. - §2.2-3711(A)(29)

WHEREAS, pursuant to: §2.2-3711(A)(1) (A)(3) (A)(5) (A)(6) (A)(8) (A)(29)

of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of

Appomattox County does hereby authorize discussion of the aforesated matters in Closed Meeting.

Mr. Moody made a motion to enter into a closed meeting at 9:20 p.m. Mr. Millner seconded Mr. Moody's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Hogan made a motion to return to regular session at 10:19 p.m. Mr. Abbitt seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Ms. Phelps read the following closed meeting certification:

To the best of your knowledge, were the only matters discussed in the closed meeting public business matters lawfully exempted from open meeting requirements, and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting? Ms. Phelps called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

There was no action taken from the closed meeting.

Chairman Carter reminded the Board of the upcoming scheduled meetings.

Monday, September 17, 2018 @ 6:00 PM

Regular Scheduled Meeting

Board of Supervisors Meeting Room

171 Price Lane, Appomattox, Virginia

Monday, October 15, 2018 @ 6:00 PM

Regular Scheduled Meeting

Board of Supervisors Meeting Room

171 Price Lane, Appomattox, Virginia

ADJOURNMENT

Mr. Moody made a motion to adjourn the meeting at 10:20 p.m. Mr. Hogan seconded Mr. Moody's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

The meeting adjourned at 10:20 p.m.

Samuel E. Carter, Chairman

